

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

JOHNATHON C. LARGE,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-05-1193-L
)	
GARFIELD COUNTY COURT, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the court for review of the Report and Recommendation entered by United States Magistrate Judge Gary M. Purcell on November 29, 2005. Plaintiff, a state prisoner appearing *pro se*, filed this action pursuant to 42 U.S.C. §1983. The Magistrate Judge recommended that the cause of action be dismissed without prejudice due to plaintiff's failure to pay the initial partial filing fee. As noted by the Magistrate Judge, plaintiff has failed to either pay the initial partial filing fee, show cause in writing for his failure to do so, or request an extension of time within which to pay the required initial partial filing fee.

The court file reflects that no party has filed a written objection to the Report and Recommendation within the time limits provided. Upon *de novo* review, and for the reasons expressed by the Magistrate Judge, the court finds

that the Report and Recommendation of the Magistrate Judge should be and is hereby adopted in its entirety. Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** for plaintiff's failure to pay the initial partial filing fee.

It is so ordered this 28th day of December, 2005.



TIM LEONARD
United States District Judge